



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/12/2021

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.19751 of 2021

1. Nesaselvam

2. Arokyasamy

3. Praveen

4. Sudarsan

... Petitioners/Accused No. 1 to 4

Vs

The state rep.by,
The Inspector of Police,
R.S Mangalam Police Station,
Ramanathapuram District.
(Crime No.302/2020).

... Respondent/Complainant

For Petitioner : Mr.S.Mp.Amalan,
Advocate.

For Respondent : Mr.S.S.Madhavan,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL
Under Sec.438 of Cr.P.C

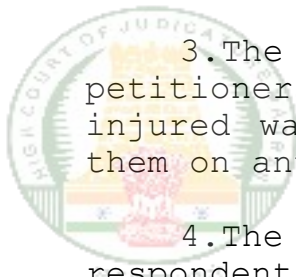
PRAYER :-

For Anticipatory Bail in Crime No.302 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.302 of 2020, seek anticipatory bail.

2.The case of the prosecution is that there was previous enmity between the parties, the petitioners had abused, assaulted the ~~defacto~~ complainant and also threatened with dire consequences. Hence, the complaint.



3.The learned counsel for the petitioners would submit that the petitioners are innocent and not committed any offence and that the injured was discharged from the hospital. Hence, prays to release them on anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there is no medical record available with regard to the date of discharge of the injured.

5.Reading of the FIR shows that both the parties belongs to very same village and there was previous dispute between the parties. In this case, the injured has been assaulted with wooden log and hand and the date of occurrence stated to be 26.09.2020, by this time, the injured might have been discharged from the hospital.

6.Considering the facts and circumstances of this case, nature of injury and weapon that is used by the accused persons and that the petitioners are not having any previous case at their credit, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, before the learned Judicial Magistrate, Thiruvadanai and on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 am for a period of one month and thereafter, as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

8.The petitioners shall appear before the concerned Magistrate within a period of fifteen days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-
13/12/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE JUDICIAL MAGISTRATE, THIRUVADANAI.

2. DO THROUGH

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3. THE INSPECTOR OF POLICE,
R.S.MANGALAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP (MD) No.19751 of 2021

Date :13/12/2021

RK/VR/SAR-III(16/12/2021) 3P 5C